



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

522, 089

Applicant's or agent's file reference PD020071		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/07561	International filing date (day/month/year) 12.07.2003	Priority date (day/month/year) 22.07.2002	
International Patent Classification (IPC) or both national classification and IPC H04N7/24			
Applicant THOMSON LICENSING S.A. ET AL.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 19.11.2003		Date of completion of this report 01.02.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Marie-Julie, J-M Telephone No. +31 70 340-4462 	

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I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-9 as originally filed

Claims, Numbers

1-11 received on 05.01.2005 with letter of 18.11.2004

Drawings, Sheets

1/7-7/7 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☒ the claims, Nos.: 3
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-9
	No: Claims	
Inventive step (IS)	Yes: Claims	1-9
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document/s/:

- D1: M M HANNUKSELA, Y K WANG: "Coding of Parameters sets - (Document: JVT-C078)" JOINT VIDEO TEAM (JVT) OF ISO/IEC MPEG & ITU-T VCEG (ISO/IEC JTC1/SC29/WG11 AND ITU-T SG16 Q.6), 6 May 2002 (2002-05-06), - 10 May 2002 (2002-05-10) pages 1-13, XP002230689 Fairfax, Virginia, USA
- D2: EP-A-1 073 223 (SONY CORP ;INFORMATION BROADCASTING LAB I (JP)) 31 January 2001 (2001-01-31)

1. The subject matter of the claim 1 is neither known from, nor rendered obvious by, the available prior art. The reason being that:

D1 is considered as the closest prior art, there is no teachings in D1 about the extension of existing auxiliary data files related to a file or an AV stream in order to carry the compression parameter sets. In addition to the fact that the problem itself contributes to the inventive step, the state of the art at hand does not suggest the extension of existing auxiliary data files in order to carry the compression parameter sets.

As a consequence, the subject matter of claim 1 is therefore new and inventive.

2. The combination of the features of the dependent claim 2 with the independent claim 1 is neither known from, nor rendered obvious by, the available prior art. The reasons are as follows:

D1 is considered as the closest prior art, there is no teachings in D1 about the explicit signalisation of the validity period of the compression parameter sets. In D1, the validity period of the compression parameter sets is implicit. Different layers of parameter sets are created (independent GOP parameter set, picture parameter set, picture parameter set, slice parameter set and presentation parameter set) (see D1, page 1), and the parameters sets are valid inside each layer. In other words, the validity period of the parameter sets is not explicitly defined.

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The explicit signalisation of the validity period of the compression parameter sets, however, is not suggested by the prior art at hand.

As a consequence, the combination of the features of the dependent claim 2 with the independent claim 1 is considered as new and inventive.

3. Claims 4-8 are dependent on claim 2 and as such also meet the requirements of the PCT with respect to novelty and inventive step.